

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
2 Charles K. Verhoeven (Bar No. 170151)
3 charlesverhoeven@quinnemanuel.com
4 David A. Perlson (Bar No. 209502)
5 davidperlson@quinnemanuel.com
6 Melissa Baily (Bar No. 237649)
7 melissabaily@quinnemanuel.com
8 John Neukom (Bar No. 275887)
9 johnneukom@quinnemanuel.com
10 Jordan Jaffe (Bar No. 254886)
11 jordanjaffe@quinnemanuel.com
12 50 California Street, 22nd Floor
13 San Francisco, California 94111-4788
14 Telephone: (415) 875-6600
15 Facsimile: (415) 875-6700

16 Attorneys for WAYMO LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 WAYMO LLC,

20 CASE NO. 3:17-cv-00939-WHA

21 Plaintiff,

22 **PLAINTIFF WAYMO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL ITS OPPOSITION TO
UBER'S MOTION TO COMPEL
FURTHER DEPOSITION OF PIERRE-
YVES DROZ**

23 vs.

24 UBER TECHNOLOGIES, INC.;
25 OTTOMOTTO LLC; OTTO TRUCKING
26 LLC,

27 Defendants.

28

19

20

21

22

23

24

25

26

27

28

Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Waymo LLC (“Waymo”) respectfully requests to file under seal information in its Opposition to Uber’s Motion to Compel Further Deposition of Pierre-Yves Droz (“Waymo’s Opposition”). Specifically, Waymo requests an order granting leave to file under seal the portions of the documents as listed below:

Document	Portions to Be Filed Under Seal	Designating Party
Portions of Exhibit 1 to Waymo’s Opposition	Portions highlighted in green	Waymo

I. **LEGAL STANDARD**

Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law” (*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored to seek sealing only of sealable material.” *Id.*

II. **THE COURT SHOULD SEAL WAYMO’S CONFIDENTIAL INFORMATION**

The Court should seal the portions of Exhibit 1 (portions highlighted in green) identified by Waymo in the table above. Waymo seeks to file this information under seal because it discloses Waymo’s trade secrets. *See Cooper Dec., ¶ 3.* Courts have determined that trade secret information merits sealing. *Music Grp. Macao Commercial Offshore Ltd. v. Foote*, No. 14-cv-03078-JSC, 2015 WL 3993147, at *1 (N.D. Cal. June 30, 2015) (quoting *Kamakana*, 447 F.3d at 1179); *see also Brocade Commc’ns Sys., Inc. v. A10 Networks, Inc.*, No. C 10-3428 PSG, 2013 WL 211115, at *1, *3 (N.D. Cal. Jan. 17, 2013) (granting request to seal document that “consists entirely of descriptions of Brocade’s trade secrets.”). Waymo seeks to seal trade secret information that fit squarely within these categories. Cooper Dec. ¶ 3. Waymo maintains this information as a trade secret (*see* Dkt. 25-31) and ensures the information remains secret with strict secrecy and security protocols (*see* Dkt. 25-47; Dkt. 25-49.). *Id.* Waymo has narrowly tailored its requests to only information meriting sealing. *Id.* In fact, both *Music Grp.* and *Brocade* found the confidential information at issue in those cases met the heightened “compelling reasons” standard for sealing. *Music Grp.*, 2015 WL 3993147, at *1; *Brocade*, 2013 WL 211115, at *1, *3. The information that Waymo seeks to seal, therefore, also

1 meets this heightened standard. The disclosure of Waymo's trade secret information would harm
2 Waymo. Cooper Dec. ¶ 3. Thus, the Court should grant Waymo's administrative motion to seal.

3 **III. CONCLUSION**

4 In compliance with Civil Local Rule 79-5(d), redacted and unredacted versions of the
5 above listed documents accompany this Administrative Motion. For the foregoing reasons,
6 Waymo respectfully requests that the Court grant Waymo's Administrative Motion.

7
8 DATED: August 9, 2017

QUINN EMANUEL URQUHART & SULLIVAN,
9 LLP

10 By /s/ Charles Verhoeven

11 Charles Verhoeven
Attorneys for WAYMO LLC

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28